

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ENCOMPASS INSURANCE)
COMPANY OF MASSACHUSETTS,)

Plaintiff,)

v.)

JOSEPH D. GIAMPA, et al.,)

Defendants.)

CIVIL ACTION
NO. 05-11693-RCL

SCHEDULING ORDER

Following a scheduling conference held today in accordance with Fed. R. Civ. P. 16(a), it is hereby ORDERED as follows:

1. The parties shall comply with the following schedule:
 - a. All fact discovery, including deposition notices, shall be served by **November 13, 2007**. This shall include no more than three depositions to be noticed by defendants Brian Culliney and Jennifer McConnell.
 - b. The plaintiff shall make any expert disclosures, pursuant to Fed. R. Civ. P. 26(a)(2), by **December 13, 2007**.
 - c. The defendants shall make any expert disclosures, pursuant to Fed. R. Civ. P. 26(a)(2), by **January 28, 2008**.
 - d. The parties shall complete all fact discovery by **January 31, 2008**.
 - e. The parties shall complete all expert discovery by **March 2, 2008**.
 - f. The parties shall file any motions for summary judgment by **April 2, 2008**. Any responses to summary judgment motions shall be due by **May 2, 2008** (or 30 days after the motion is filed).
 - g. Any concise statement of material facts that is filed pursuant to

Local Rule 56.1 in opposition to a motion for summary judgment shall include numbered paragraphs admitting or denying, paragraph by paragraph, the facts contained in the moving party's concise statement of material facts.

2. The next status conference shall take place on **January 22, 2008 at 2:30 p.m.** in Courtroom #15 on the 5th floor. At that time, the parties shall be prepared to discuss:

- (i) the status of the case;
- (ii) scheduling for the remainder of the case through trial;
- (iii) the use of alternative dispute resolution ("ADR") programs;
and
- (iv) consent to trial before the Magistrate Judge.

3. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph 2 above. With respect to the use of ADR and having the matter tried by a Magistrate Judge, the parties shall indicate whether an agreement has been reached, but are not obligated to identify their respective positions.

/ s / Judith Gail Dein
Judith Gail Dein
United States Magistrate Judge

Dated: October 1, 2007